

HOUSE No. 2899

By Mr. Festa of Melrose, petition of Michael E. Festa and others
for legislation to provide for pre-admission screening for persons
applying for long-term care services. Health Care Financing.

The Commonwealth of Massachusetts

PETITION OF:

Michael E. Festa	Robert J. Nyman
Barbara A. L'Italien	Christopher G. Fallon
Patricia D. Jehlen	Cory Atkins
Emile J. Goguen	David M. Torrisi
Christopher J. Donelan	Patricia A. Haddad
Douglas W. Petersen	Deborah D. Blumer
William Smitty Pignatelli	Carl M. Sciortino, Jr.
John W. Scibak	Gale D. Candaras
Joyce A. Spiliotis	J. James Marzilli, Jr.
Frank I. Smizik	Elizabeth A. Malia
Susan W. Pope	Robert M. Koczera
Bradley H. Jones, Jr.	Shirley Owens Hicks
Thomas A. Golden, Jr.	Philip Travis
William G. Greene, Jr.	Michael F. Rush
Edward G. Connolly	Jennifer M. Callahan
Rachel Kaprielian	Charles A. Murphy
Cleon H. Turner	Pamela P. Resor
James R. Miceli	Brian S. Dempsey
Christine E. Canavan	Bruce J. Ayers
Frank M. Hynes	Stephen Kulik
Peter V. Kocot	Antonio F. D. Cabral
Kathleen M. Teahan	Anne M. Paulsen
David Paul Linsky	Ruth B. Balser
Mark C. Montigny	Thomas M. Stanley
Patricia A. Walrath	Patrick M. Natale
Timothy J. Toomey, Jr.	Jeffrey Sánchez
Shirley Gomes	Mark J. Carron
Paul J. Donato	Walter F. Timilty
Brian Knuuttila	

In the Year Two Thousand and Five.

AN ACT REGARDING NURSING HOME PRE-ADMISSION COUNSELING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 9 of Chapter one hundred and eighteen E is hereby
2 amended by adding at the end thereof the following new lan-
3 guage:—
4 All persons seeking admission to a long term care facility bed
5 paid for by MassHealth shall have a pre-admission counseling for
6 nursing home eligibility, which shall include an assessment of
7 community-based service options. Admission to a long term care
8 facility bed paid for by MassHealth shall be predicated on a
9 finding by the division, through the pre-admission counseling
10 process, that community-based services appropriate to the needs
11 of the individual are either inadequate or unavailable in sufficient
12 amount or scope to maintain the individual in the community. All
13 persons seeking a long term care facility bed on a private pay
14 basis shall be offered said pre-admission counseling on a volun-
15 tary basis. For the purpose of this section, all said pre-admission
16 counseling shall be conducted by the executive office of elder
17 affairs, or its subcontractors. The division shall report to the
18 general court on an annual basis the number of diversions to the
19 community generated by this pre-admission counseling program,
20 so-called.